

D'AGOSTINO, LEVINE, LANDESMAN,
& LEDERMAN, L.L.P.
345 SEVENTH AVENUE
NEW YORK, NY 10001
TELE: 212 564-9800

Attorneys for Defendants

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
DANIEL ROMERO and JOANN RAGUSA,
Plaintiffs,

-against-

BORDEN EAST RIVER REALTY LLC and
JOSEPH SIMONE,

Defendants.
-----X

Civ. No.: 09 Civ. 665 (ARR)

DEFENDANTS'

NOTICE OF MOTION

FOR SUMMARY JUDGMENT

-----X
WILLIAM LEE and SZUYU PAN,

Plaintiffs,

-against-

BORDEN EAST RIVER REALTY LLC and
JOSEPH SIMONE,

Defendants.
-----X

Civ. No.: 09 Civ. 1721 (ARR)

-----X
KYUNG YEOL SHIN,

Plaintiff,

-against-

BORDEN EAST RIVER REALTY LLC and
JOSEPH SIMONE,

Defendants.
-----X

Civ. No.: 09 Civ. 845 (ARR)

-----X
LORA KAYE,

Plaintiff,

-against-

BORDEN EAST RIVER REALTY LLC and
JOSEPH SIMONE,

Defendants.
-----X

Civ. No.: 09 Civ. 1228 (ARR)

-----X		
JOHN GAENZLER and SARA MOSCOSO-	:	
GAENZLER,	:	
	<i>Plaintiffs,</i>	:
-against-	:	Civ. No.: 09 Civ. 1303 (ARR)
BORDEN EAST RIVER REALTY LLC and	:	
JOSEPH SIMONE,	:	
	<i>Defendants.</i>	:
-----X		
ANTHONY ALLICINO,	:	
	<i>Plaintiff,</i>	:
-against-	:	Civ. No.: 09 Civ. 1455 (ARR)
BORDEN EAST RIVER REALTY LLC and	:	
JOSEPH SIMONE,	:	
	<i>Defendants.</i>	:
-----X		
JULIE and DAVID LIEVRE,	:	
	<i>Plaintiffs,</i>	:
-against-	:	Civ. No.: 09 Civ. 1984 (ARR)
BORDEN EAST RIVER REALTY LLC and	:	
JOSEPH SIMONE,	:	
	<i>Defendants.</i>	:
-----X		
ZACK FERGUSON-STEGER,	:	
	<i>Plaintiff,</i>	:
-against-	:	Civ. No.: 09 Civ. 1196 (ARR)
BORDEN EAST RIVER REALTY LLC and	:	
JOSEPH SIMONE,	:	
	<i>Defendants.</i>	:
-----X		

Please take notice that upon the annexed declaration of Bruce H. Lederman, Esq., with exhibits annexed thereto, the joint statement of undisputed facts and all prior proceedings heretofore had herein, defendant hereby moves this Court, in accordance with the schedule ordered by the Court on October 27, 2009, for summary judgment pursuant to Fed R. Civ. Pro. 56 dismissing plaintiffs' claims and awarding moving defendants such other and further relief as to the Court may seem just and proper.

Dated: December 4, 2009

D'AGOSTINO, LEVINE, LANDESMAN,
& LEDERMAN, LLP

By:  _____

Bruce H. Lederman

Attorneys for the Defendants

345 Seventh Avenue, 23rd Floor

New York, NY 10001

Tel: (212) 564-9800

Fax: (212) 564-9802